IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1746 of 2007()

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CRIME NO. 31/2007 OF KOLAVALLUR POLICE STATION

PETITIONER/ACCUSED NO.1,3,4 AND 6

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1. ANOOP, MANJAPUNATHIL HOUSE,
KADAVATHOOR DESOM, THRIPRANGOTOOR AMSOM,
KANNUR DISTRICT.

2. ANEESH, KEERIYAVIL HOUSE,
KADAVATHOOR DESOM, THRIPRANGOTOOR AMSOM,
KANNUR DISTRICT.

3. PRAKASHAN, KATTIL HOUSE,
KADAVATHOOR DESOM, THRIPRANGOTOOR AMSOM,
KANNUR DISTRICT.

4. MANOJAN, KURUNGATTU HOUSE,
KADAVATHOOR DESOM, THRIPRANGOTOOR AMSOM,
KANNUR DISTRICT.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
KOLAVALLOR POLICE STATION, KANNUR DISTRICT.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**Bail Application No. 1746 of 2007**

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**DATED: 22-3-2007**

**O R D E R**

Petitioners who are accused Nos. 1,3, 4 and 6 respectively in Crime No. 31/2007 of Kolavallur Police Station for offences punishable under Sections 143, 147, 148, 452, 341, 323 and 324 read with Sec. 149 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the first accused who did not relish the sale of property by his father to the de facto complainant, criminally trespassed into the house of the de facto complainant along with the rest of the accused armed with deadly weapons like iron rod etc. at about 11.30 p.m. on 4-3-2007 and attacked him resulting in the de facto complainant sustaining 12 injuries.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender

before the Investigating Officer on any day between 27-3- 2007 and 29-03-2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. Thereafter the petitioner shall be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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